

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 HA-05
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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 7856

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E.O. 11652: N/A

TAGS: SHUM, SOCI

SUBJECT: 32ND UNGA--THIRD COMMITTEE/ALTERNATIVE APPROACHES,

ITEM 76

1. THE THIRD COMMITTEE BUILT UP A FULL HEAD OF STEAM
TODAY DISCUSSING FINANCIAL IMPLICATIONS AND AMENDMENTS
TO RESOLUTION L.25 ON THE HIGH COMMISSIONER FOR HUMAN
RIGHTS.

2. AT A PREVIOUS MEETING CUBAN DELEGATE ASKED FOR A
STATEMENT OF FINANCIAL IMPLICATIONS OF THE ESTABLISH-
MENT OF THE POST OF HIGH COMMISSIONER AND SENEGAL,
WANTING TO SHOW THAT DEVELOPING COUNTRIES WOULD BE
PAYING ALMOST NOTHING FOR THE POST, ASKED THAT THE
FINANCIAL IMPLICATIONS STATEMENT INCLUDE A LISTING OF
THE EXACT COST TO EACH STATE OF THE ESTABLISHMENT OF
THE POST. THE FINANCIAL IMPLICATIONS STATEMENT WAS
PUBLISHED NOV 23 IN DOCUMENT L.24 AND DID NOT INCLUDE LISTING
SUGGESTED BY SENEGAL. AT THE WEDNESDAY MORNING
MEETING HE REITERATED HIS REQUEST FOR THE LISTING AND
WAS SUPPORTED BY LESOTHO AND MOROCCO. THIS LED TO A
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ONE-HOUR DEBATE WHICH PITTED CUBA AND THE USSR
AGAINST THE AFRICAN COUNTRIES AND IN WHICH THE CUBAN
FINALLY INSISTED THAT IF SUCH DETAILED FINANCIAL IM-
PLICATIONS WERE ISSUED FOR THE HIGH COMMISSIONER
RESOLUTION, HE WOULD INSIST ON A SIMILAR STATEMENT FOR
EVERY OTHER RESOLUTION BEING CONSIDERED IN THE THIRD
COMMITTEE FROM NOW UNTIL THE END OF THE SESSION. AT

THIS POINT, 2 PM, DELEGATIONS HAD HAD ENOUGH OF THE DEBATE AND PREFERRED TO GO TO LUNCH AND SO DECIDED TO CONTINUE THE ARGUMENT AT THE THURSDAY MEETING.

3. ADDING TO THE ATMOSPHERE WAS THE INTRODUCTION BY THE GDR OF AMENDMENTS (CONTAINED IN DOCUMENT L.35) TO THE HIGH COMMISSIONER RESOLUTION TO THE EFFEC THAT THE COMMITTEE WOULD DECIDE TO DEFER THE ESTABLISHMENT OF A HIGH COMMISSIONER FOR HUMAN RIGHTS UNTIL A CONSENSUS IS REACHED. THE AMENDMENTS ARE TRANSMITTED AS THE LAST PARA OF THIS CABME. THE MOROCCAN DELEGATE ARGUED AT LENGTH THA THESE AMENDMENTS WOULD CONSTITUTE A DECISION TO USE THE VETO POWER IN THE THIRD COMMITTEE AND THAT THEY WERE CONTRARY TO ALL RULES OF PROCEDURE. MISSION LEGAL ADVISERS OF VIEW THAT THE AMENDMENTS NOT ILLEGAL PER SE AND THAT THE COMMITTEE OR GA, IF IT WISHES, CAN DECIDE THAT A CERTAIN DECISION SHOULD BE TAKEN BY CONSENSUS THOUGH THIS WOULD NOT BIND FUTURE SESSIONS. UN LEGAL COUNSEL'S OFFICE DIVIDED ON QUESTION WITH LEGAL COUNSEL SUY TENTATIVELY LEANING TOWARD VIEW AMENDMENTS DO VIOLATE ARTICLE 18 OF CHARTER.

4. WE ARE SURPRISED THAT THE EASTERN EUROPEANS HAVE TAKEN SUCH A HEAVY-HANDED APPROACH AND MANY OF THE G-77 RESENT THIS ATTEMPT TO IMPOSE SUPERPOWER VETO.

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WE ARE STILL UNABLE TO PREDICT WHEN THE RESOLUTIONS UNDER ITEM 76 WILL BE BROUGHT TO A VOTE. IT IS UNLIKELY THAT ANY ACTION WILL BE TAKEN BEFORE MONDAY, NOV 28.

5. TEXT FOLLOWS: QUOTE
ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

GERMAN DEMOCRATIC REPUBLIC AND MADAGASCAR: AMENDMENTS TO DRAFT RESOLUTION A/C3/32/L25/REV.1

1. REPLACE OPERATIVE PARAGRAPH 1 BY:
"DECIDES TO DEFER THE ESTABLISHMENT OF A HIGH COMMISSIONER FOR HUMAN RIGHTS UNTIL A CONSENSUS IS REACHED."

2. REPLACE OPERATIVE PARAGRAPH 2 BY:
"DECIDES THAT THE HIGH COMMISSIONER, IF ESTABLISHED, SHALL ACT WITHIN THE FRAMEWORK OF THE CHARTER OF THE UNITED NATIONS, AND ACCORDING TO A MANDAGE AGREED UPON BY CONSENSUS IN THE GENERAL ASSEMBLY IN ORDER TO: "

3. REPLACE OPERATIVE PARAGRAPH 6 BY:

"REQUESTS THE SECRETARY-GENERAL TO UNDERTAKE CONSULTATIONS
WITH REGIONAL GROUPS IN ORDER TO ASCERTAIN THE FEASIBILITY
OF A CONSENSUS ON THE ESTABLISHMENT OF A HIGH
COMMISSIONER FOR HUMAN RIGHTS OR ANY OTHER MECHANISM TO
ENHANCE HUMAN RIGHTS ACTIVITIES WITHIN THE UNITED
NATIONS SYSTEM AND TO REPORT TO THE COMMISSION ON
HUMAN RIGHTS AT ITS THIRTY-FOURTH SESSION."

4. DELETE OPERATIVE PARAGRAPHS 7 AND 8. UNQUOTE

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Message Attributes

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Sent Date: 24-Nov-1977 12:00:00 am
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Disposition Approved on Date:
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